

Believe it or not, this is not a partisan thing, because I would be on this floor to protect the jurisdiction of the Committee on Rules if we were in the majority. You keep cutting away from the responsibilities of the committees and the subcommittees, and especially the Committee on Rules.

The Committee on Rules, they are the traffic cops. They are supposed to have an equitable distribution of the time and allow for Members to know what they are going to debate. If you do not have a bill filed, if you do not know what is going to be in front of you, you are caught in the embarrassing position of saying, I do not know.

Go to the Website? How can you go to the Website and be on the floor? How can you ask the Website a question? You are supposed to want to pull up this Tax Code, which we got today, by the roots. Instead, you bring 600 pages of fertilizer and make it more complicated.

This is not simplification. People may ask you what is in the bill. I want to give you a chance.

Mr. REYNOLDS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, we certainly know that the legislative calendar for this year was set to complete our work on October 1. We are now here on October 7 and working to get our work done. And it is my hope that we continue on the 9/11 debate today and other important matters pending.

It is also my hope that we are able to consider the legislation dealing with the American Jobs Act of 2004.

□ 1300

We know that since this last hour, that we are asking the body to consider a same-day rule so that we can consider the legislation if and when the Committee on Rules meets and sends to this floor a rule for consideration of the underlying legislation. We know that the gentleman from California (Chairman THOMAS) has personally come and filed the report for the conference report before this body, and we have seen in the last hour both what the bill looks like, with some 1,300 pages and 12, 13 inches thick, and we heard me previously say that the Committee on Ways and Means Web site address, [waysandmeans.house.gov](http://waysandmeans.house.gov), if you go to "What's New" and you look for conference documents, you will find the conference report, which is bipartisanly signed, in its entirety. And, if you want, the Adobe Acrobat has the word search so that you can find anything you are interested in finding.

This legislation has been around for a while. Again, I will repeat myself, as I have several times in this debate: It has nothing in it within the provisions that was not considered in this body or the other body by as the conferees came together. It was an open conference, even though the motion to in-

struct was defeated, and we followed the Senate rules whereby members of the conference could file numerous and countless amendments, which were considered, and we now have a final word product.

I know the debate on the floor, as we get through this, either today or this early evening or if it ends up tomorrow, will have all sorts of interpretations. We will get down to the fact that it is going to help American business, and that includes small business, farmers, and small manufacturers.

The Republican leadership and the Committee on Rules has met. They are not acting against the rules of this House. Quite frankly, we have asked for consideration of the body by majority vote to determine if we can have a same-day consideration, and that is what is going to happen as we have a vote here shortly.

Mr. Speaker, I move the previous question on the resolution, which is same-day consideration of the legislation before us, and I yield back the balance of time.

The previous question was ordered.

The SPEAKER pro tempore (Mr. BONILLA). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### CONFERENCE REPORT ON H.R. 4520, AMERICAN JOBS CREATION ACT OF 2004

Mr. THOMAS (during consideration of H. Res. 828) submitted the following conference report and statement on the bill (H.R. 4520) to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad:

#### PROVIDING FOR CONSIDERATION OF H.R. 10, 9/11 RECOMMENDATIONS IMPLEMENTATION ACT

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 827 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 827

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 10) to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and

coordination, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed three hours and 40 minutes, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence; 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services; 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services; 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform; 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations; 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure; and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Select Committee on Homeland Security. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of the Rules Committee Print dated October 4, 2004. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Sec. 2. Upon passage of H.R. 10 and receipt of a message from the Senate transmitting S. 2845: (a) the House shall be considered to have: taken from the Speaker's table S. 2845; stricken all after the enacting clause of such bill and inserted in lieu thereof the provisions of H.R. 10, as passed by the House; passed the Senate bill as so amended; and insisted on its amendment and requested a conference with the Senate thereon; and (b) the Speaker may appoint conferees on S. 2845 and the House amendment thereto at any time.

Sec. 3. The motion to instruct conferees otherwise in order pending the appointment